

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Mark Bleier
Darlene Bleier
Debtor(s)

Bankruptcy Case No.: 18-21259-CMB
Issued Per April 4, 2019 Proceeding
Chapter: 13
Docket No.: 80 – 64, 73
Concil. Conf.: September 12, 2019 at 02:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated December 20, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Sep. 12, 2019 at 02:00 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☒ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: I.R.S. at Claim No. 5; Township of Upper St. Clair at Claim No. 7 and Claim No. 9; Borough of Bridgeville at Claim No. 11 .
- ☒ H. Additional Terms: G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Chartiers Valley School District at Claim No. 12; Allegheny County at Claim No. 13.
Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.

Certificate of Notice Page 2 of 7

The secured claim of Capital One Auto Finance at Claim No. 10 shall govern as to claim amount, to be paid at the modified plan terms at \$317 per month.

The claim of Credit Acceptance (Claim No. 1) is payable per stipulation.

No further distributions shall be made to Upper St. Clair on Claim No. 6 and Claim No. 8 as they are paid in full.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

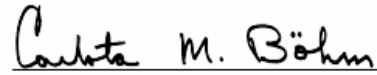
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: April 10, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

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 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Mark Bleier
 Darlene Bleier
 Debtors

Case No. 18-21259-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

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 Total Noticed: 49

Date Rcvd: Apr 10, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 12, 2019.

db/jdb
 cr +Mark Bleier, Darlene Bleier, 1352 High Oak Court, Pittsburgh, PA 15241-3500
 +Bayview Loan Servicing, LLC, et al..., 4425 Ponce De Leon Blvd. 5th Floor,
 Coral Gables, FL 33146-1837
 cr +Borough of Bridgeville, Goehring, Rutter, and Boehm, 437 Grant Street, 14th Floor,
 Frick Building, Pittsburgh, PA 15219, UNITED STATES 15219-6101
 cr +Chartiers Valley School District, Goehring, Rutter, and Boehm, 437 Grant Street, 14th Floor,
 Frick Building, Pittsburgh, PA 15219, UNITED STATES 15219-6101
 cr +County of Allegheny, Goehring, Rutter, and Boehm, 437 Grant Street, 14th Floor,
 Frick Building, Pittsburgh, PA 15219, UNITED STATES 15219-6101
 cr +Credit Acceptance Corporation, 25505 W. 12 Mile Road, Suite 3000,
 Southfield, MI 48034-8331
 cr +Peoples Gas Company LLC, f/k/a Peoples TWP LLC, c/o S. James Wallace, P.C.,
 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
 cr +United States of America Department of the Treasur, c/oOffice of U.S. Atty for W.D. of PA,
 U.S. Post Office & Courthouse, 700 Grant Street, Suite 4000, Pittsburgh, PA 15219,
 U.S.A. 15219-1956
 cr +Upper St. Clair School District, c/o Michael C. Mazack, Esquire, Tucker Arensberg, PC,
 1500 One PPG Place, Pittsburgh, PA 15222-5413
 14822089 +Allegheny County Tax Claim Bureau, 436 Grant Street Room 108, Pittsburgh PA 15219-2429
 14802931 +BNY Mellon, 12650 Ingenuity Drive, Orlando, FL 32826-2703
 14851376 +Borough of Bridgeville, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 14822090 +Bridgeville Borough, 425 Bower Hill road, Bridgeville PA 15017-2379
 14882032 +COLUMBIA GAS, 290 W NATIONWIDE BLVD 5TH FL, BANKRUPTCY DEPARTMENT, COLUMBUS OH 43215-4157
 (address filed with court: COLUMBIA GAS OF PENNSYLVANIA, PO BOX 117, COLUMBUS, OH 43216)
 14802933 Capital One Auto Finance, PO Box 75093, Plano, TX 75025
 14851377 +Chartiers Valley School District, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 14802934 +Chase Auto, Po Box 901003, Ft Worth, TX 76101-2003
 14802935 Comcast Corporation, Comcast Center, JFK Blvd., Philadelphia, PA 19103
 14851378 +County of Allegheny, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 14802936 Crd Prt Asso, One Galleria Tower, Dallas, TX 75240
 14802937 +Credit Acceptance, Po Box 513, Southfield, MI 48037-0513
 14803589 +Credit Acceptance, 25505 West Twelve Mile Rd, Suite 3000, Southfield MI 48034-8331
 14822094 +John K. Weinstein, Room 108 Courthouse, 436 Grant Street, Pittsburgh PA 15219-2429
 14822092 +Jordan Tax Service, 102 Rahway Road, McMurray, PA 15317-3349
 14802940 +Pediatric South, 3055 Washington Road, Canonsburg, PA 15317-3279
 14825153 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 14802941 +Shapiro and Denardo LLC, 3600 Horizon Drive, Suite 150, King of Prussia, PA 19406-4702
 14802942 +South Hills Orthopaedic, 363 Vanadium Rd #103, Pittsburgh, PA 15243-1477
 14822095 +Township of Upper St Clair, 1820 McLaughlin Run Road, Pittsburgh PA 15241-2300
 14833463 +Township of Upper St. Clair, c/o Michael C. Mazack, Esquire, Tucker Arensberg, P.C.,
 1500 One PPG Place, Pittsburgh, PA 15222-5413
 14822096 +U.S. Attorneys Office, Western District of PA, 4000 US Post Office & Courthouse,
 700 Grant Street, Pittsburgh, PA 15219-1906
 14833486 +Upper St. Clair School District, and Upper St. Clair Township,
 c/o Michael C. Mazack, Esquire, Tucker Arensberg, P.C., 1500 One PPG Place,
 Pittsburgh, PA 15222-5413

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 cr

+E-mail/PDF: acg.acg.ebn@americaninfosource.com Apr 11 2019 02:33:26
 Capital One Auto Finance, a division of Capital On, 4515 N Santa Fe Ave. Dept. APS,
 Oklahoma City, OK 73118-7901
 14862287 +E-mail/Text: bkmailbayview@bayviewloanservicing.com Apr 11 2019 02:31:52
 BNY Mellon, et al..., c/o Bayview Loan Servicing, LLC, 4425 Ponce de Leon Blvd.,
 5th Floor, Coral Gables, FL 33146-1837
 14802930 +E-mail/Text: bkmailbayview@bayviewloanservicing.com Apr 11 2019 02:31:52
 Bayview Loan Servicing, 4425 Ponce de Leon Blvd, Miami, FL 33146-1837
 14802932 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Apr 11 2019 02:33:57 Capital One,
 15000 Capital One Dr, Richmond, VA 23238
 14834007 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Apr 11 2019 02:33:25
 Capital One Auto Finance, a division of Capital On, P.O. Box 4360, Houston, TX 77210-4360
 14804707 +E-mail/Text: bankruptcy@cvps.com Apr 11 2019 02:31:45 Cavalry SPV I, LLC,
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
 14802938 +E-mail/Text: ccusa@ccuhome.com Apr 11 2019 02:30:21 Credit Coll/usa,
 16 Distributor Dr Ste 1, Morgantown, WV 26501-7209
 14802939 +E-mail/Text: vmcpherson@creditmanagementcompany.com Apr 11 2019 02:31:51
 Credit Management Co, 2121 Noblestown Rd, Pittsburgh, PA 15205-3956
 14822091 +E-mail/Text: cio.bncmail@irs.gov Apr 11 2019 02:30:34 Internal Revenue Service,
 PO Box 7346, Philadelphia PA 19101-7346

District/off: 0315-2

User: jhel
Form ID: 149

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Total Noticed: 49

Date Rcvd: Apr 10, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14859869 E-mail/PDF: resurgentbknnotifications@resurgent.com Apr 11 2019 02:32:55
LVNV Funding, LLC its successors and assigns as, assignee of Citibank USA, N. A.,
Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14869172 +E-mail/Text: csc.bankruptcy@amwater.com Apr 11 2019 02:32:17 Pennsylvania American Water,
PO Box 578, Alton, IL 62002-0578
14893135 E-mail/Text: jennifer.chacon@spservicing.com Apr 11 2019 02:32:25
Select Portfolio Servicing, LLC, PO Box 65250, Salt Lake City, UT 84165-0250
14802943 +E-mail/Text: collection@sdfcu.org Apr 11 2019 02:32:01 State Department Fcu,
1630 King Street, Alexandria, VA 22314-2763
14876953 +E-mail/Text: collection@sdfcu.org Apr 11 2019 02:32:01
State Department Federal Credit Union, 1630 King Street, Alexandria, VA 22314-2745
14853394 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Apr 11 2019 02:33:30 Verizon,
by American InfoSource LP as agent, PO Box 248838, Oklahoma City, OK 73124-8838
14802944 +E-mail/Text: wfmelectronicbankruptcy@verizonwireless.com Apr 11 2019 02:30:17
Verizon Wireless, PO Box 650051, Dallas, TX 75265-0051
14821358 +E-mail/Text: bankruptcy@firstenergycorp.com Apr 11 2019 02:31:26 West Penn Power,
5001 NASA Blvd, Fairmont WV 26554-8248

TOTAL: 17

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Capital One Auto Finance
cr Select Portfolio Servicing as servicer for The Ban
cr The Bank of New York Mellon
cr* +Township of Upper St. Clair, c/o Michael C. Mazack, Esquire, Tucker Arensberg, P.C.,
1500 One PPG Place, Pittsburgh, PA 15222-5413
14822097* +West Penn Power, 5001 NASA Blvd, Fairmont WV 26554-8248

TOTALS: 3, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 12, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 10, 2019 at the address(es) listed below:

Brian C. Thompson on behalf of Plaintiff Darlene Bleier bthompson@ThompsonAttorney.com,
blemon@thompsonattorney.com/mgillespie@thompsonattorney.com/bthompson@ecf.courtdrive.com/jgorze@t
hompsonattorney.com
Brian C. Thompson on behalf of Joint Debtor Darlene Bleier bthompson@ThompsonAttorney.com,
blemon@thompsonattorney.com/mgillespie@thompsonattorney.com/bthompson@ecf.courtdrive.com/jgorze@t
hompsonattorney.com
Brian C. Thompson on behalf of Plaintiff Mark Bleier bthompson@ThompsonAttorney.com,
blemon@thompsonattorney.com/mgillespie@thompsonattorney.com/bthompson@ecf.courtdrive.com/jgorze@t
hompsonattorney.com
Brian C. Thompson on behalf of Debtor Mark Bleier bthompson@ThompsonAttorney.com,
blemon@thompsonattorney.com/mgillespie@thompsonattorney.com/bthompson@ecf.courtdrive.com/jgorze@t
hompsonattorney.com
James Warmbrodt on behalf of Creditor Select Portfolio Servicing as servicer for The Bank of
New York Mellon bkgroup@kmlawgroup.com
James Warmbrodt on behalf of Creditor The Bank of New York Mellon bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor County of Allegheny jhunt@grblaw.com,
cnoroski@grblaw.com
Jeffrey R. Hunt on behalf of Creditor Borough of Bridgeville jhunt@grblaw.com,
cnoroski@grblaw.com
Jeffrey R. Hunt on behalf of Creditor Chartiers Valley School District jhunt@grblaw.com,
cnoroski@grblaw.com

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Form ID: 149

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

Jill Locnikar on behalf of Creditor United States of America Department of the Treasury,
Internal Revenue Service jill.locnikar@usdoj.gov,
patricia.fitzgerald@usdoj.gov;caseview.ecf@usdoj.gov
Jillian Nolan Snider on behalf of Creditor Township of Upper St. Clair jsnider@tuckerlaw.com,
agilbert@tuckerlaw.com,cabbott@tuckerlaw.com
Jillian Nolan Snider on behalf of Creditor Upper St. Clair School District
jsnider@tuckerlaw.com, agilbert@tuckerlaw.com,cabbott@tuckerlaw.com
Kevin Scott Frankel on behalf of Creditor Bayview Loan Servicing, LLC, et al... pabk@logs.com
Kevin Scott Frankel on behalf of Creditor Select Portfolio Servicing as servicer for The Bank
of New York Mellon pabk@logs.com
Laurence A. Mester on behalf of Creditor Capital One Auto Finance lmester@mesterschwartz.com,
jottinger@mesterschwartz.com;jschwartz@mesterschwartz.com
Laurence A. Mester on behalf of Defendant Capital One Auto Finance lmester@mesterschwartz.com,
jottinger@mesterschwartz.com;jschwartz@mesterschwartz.com
Michael C. Mazack on behalf of Creditor Upper St. Clair School District mmazack@tuckerlaw.com
Michael C. Mazack on behalf of Creditor Township of Upper St. Clair mmazack@tuckerlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Gas Company LLC, f/k/a Peoples TWP LLC
sjw@sjwpgh.com, srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com
William E. Craig on behalf of Creditor Credit Acceptance Corporation ecfmail@mortoncraig.com,
mhazlett@mortoncraig.com;mortoncraigecf@gmail.com

TOTAL: 22